

# UNREASONABLE SHIPPING RATE PROVISION HARMS OFFSHORE AREAS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 12, 1995*

Mr. UNDERWOOD. Mr. Speaker, I rise today to voice my concerns with the maritime provisions of H.R. 2539, legislation to abolish the Interstate Commerce Commission and the Federal Maritime Commission. As the conferees meet on this legislation, I urge them to strike the section defining a "zone of reasonableness" for rates.

This provision would allow carriers to raise their rates 10 percent per year, plus 7.5 percent in the version passed by the other body. Such increases would be deemed reasonable and no challenge would be allowed. It does not matter if costs decrease, the price of fuel is cut in half, more efficient ships can do the job at half the price, labor costs are significantly lowered, or economic factors cause all other prices to decrease.

To call this a zone of reasonableness is an oxymoron. I know of no other industry which is guaranteed a yearly increase of 10 percent plus inflation. I know of no other law that guarantees in statute a formula for increasing prices year after year. Such a guarantee is not a move toward deregulation of the transportation industry as the legislation is designed to do.

For those of us who receive a majority of our goods by ocean carrier, this provision would significantly impact our economy. We do not have other transportation options. If enacted, this legislation would encourage businesses on Guam to buy fewer goods from the mainland because of the unprecedented increases in rates. It would result in an increase in the importation of goods from foreign nations because we would have no other choice. People on Guam want to buy goods from the mainland, but not if the shipping costs make consumer prices increase at an astonishing rate.

As the conferees meet on H.R. 2539, I urge the conferees to consider the economic effects of enacting such an anti-competitive provision, under the mantle of deregulation, and the dangerous precedent it sets. I encourage the conferees to strike this provision.

## TRIBUTE TO MICHAEL BRUTON

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 12, 1995*

Mr. LIPINSKI. Mr. Speaker, I rise today with great sadness at the recent passing of Michael Bruton at the age of 59. Michael Bruton, president of the Chicago Federation of Labor, died Sunday, November 12, from complications caused by cancer.

Michael held numerous positions with the CFL and the International Brotherhood of Electrical Workers. He was elected president of the CFL in 1994, and had been assistant to the president since January 1986. He served as vice president of the CFL.

Michael started his union career in 1954, when he became an apprentice electrician

with Local 134. He was a 1954 graduate of De La Salle High School in Chicago. He attended Washburne Trade School and received his journeyman credentials in 1958. He also attended the Kennedy Electronics School and the University of Illinois Labor Program from 1972 to 1976. In 1989, he was appointed to the board of directors of the Metropolitan Pier and Exposition Authority by Mayor Richard Daley. Michael was a former member of the Illinois State Board of Education. He served as secretary of the board and vice chairman of its Equal Employment Opportunity Committee.

Michael was a member of St. Daniel the Prophet Church on Chicago's Southwest Side and its Holy Name Society. He coached basketball at St. Daniel in the 1980's, and was active in the Boy Scouts of America. Michael served on the board of the United Way/Crusade of Mercy Catholic Charities, the Board of Governors of the Metropolitan Planning Council and the Chicago Convention and Tourism Bureau. He also was a labor representative on the Chicago Private Industry Council and served several other charitable and civic organizations.

Mr. Speaker, I extend my condolences to his wife, Marilyn; three sons, Michael, Timothy, and Thomas; six daughters, Susan Cerebona, Mary Beth Carroll, Nancy Herbst, Sharon, Denise, and Karen; three brothers, Lawrence, Patrick, and James; and two sisters, Ann Howell and Pauline Thomas.

## TRIBUTE TO MR. STEPHEN LEE, LOCAL FARMER, PATRIARCH, AND AMERICAN SUCCESS STORY

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 13, 1995*

Mr. SAXTON. Mr. Speaker, several weeks ago our Nation celebrated the Thanksgiving holiday. It was a time to spend gathered with family and being thankful for all that we have. For the family of Stephen V. Lee, Jr., a local cranberry farmer back home in my district, it was a time to truly give thanks.

Stephen Lee is an American success story. After serving his country in the U.S. Navy during World War II, Mr. Lee returned to America and took up the family tradition as a cranberry farmer.

Although his family had successfully farmed their property as early as the 1870's, the Great Depression had forced its closure until Mr. Lee took individual initiative to restore and revive the family's agricultural heritage. After years of hard work, Mr. Lee and his sons reclaimed the land, restored old bogs, and built new ones used for growing the berries. His original loan of a couple thousand dollars in the 1940's has flourished into a multimillion-dollar farm. Throughout this productive return to the family heritage of cranberry farming, Mr. Lee has continued to be a strong father and grandfather as well as a leader throughout the community.

Mr. Speaker, recently *Modern Maturity* magazine published a story entitled "Crimson Harvest" which details the life of Stephen Lee. I would ask that this article also be included as part of Extension of Remarks as a tribute to Mr. Lee.

[From *Modern Maturity*, Nov.-Dec. 1995]

CRIMSON HARVEST

(By Mark Wexler)

On a brisk autumn afternoon Stephen V. Lee, Jr., looks out onto a sea of floating red berries and beams like a little boy who has just opened a bag of Halloween candy. "How that's what I call a pretty crop," he says with a big smile. "There's good crimson color on the fruit this year, and that means a sweet Thanksgiving."

Lee is a fourth-generation cranberry farmer living the American dream in the heart of New Jersey's scenic Pine Barrens region. In the late 1940s he used a \$4,000 loan to rescue his historic family farm from the brink of bankruptcy. Now, after years of hard work, he's turned the operation into a million-dollar business.

"This is my life," he says, pointing to the miles of red-colored bogs surrounded by trees and marshes. "I've got cranberry juice running through my veins." Today, at 85, Lee continues to put in long days in what he calls his "labor of love," and his two sons are by his side.

Family farmers like the Lees cultivate most of the world's cranberries on only about 30,000 acres in the United States and Canada. There are 44 other families that grow the berries in the Pine Barrens, a 2,000-square-mile oasis of forests, wetlands and wildlife in southern New Jersey that in 1979 was designated a federal preserve, which protects the area by controlling development. Last year Pine Barrens growers produced more than 53 million pounds of cranberries, a figure only Massachusetts and Wisconsin farmers surpassed. "It's not the easiest way to make a living," says Lee, "but it keeps me young."

The object of Lee's affection is more American than apple pie. European settlers introduced the apple to this continent; the cranberry is native to North America. A slender vine that creeps along the ground, the cranberry plant produces a tart-tasting, finicky fruit that survives only in very specialized conditions: It requires an acid peat soil, sand, plenty of fresh water, and a growing season stretching from April to November. Under those conditions the vines can live indefinitely; some Cape Cod cranberry plants are more than 150 years old.

Cranberries don't actually grow in water. Instead, they blossom on the dense mat of vines that make up impermeable beds in marshy areas called bogs, which glacial deposits originally formed. Native Americans in the Northeast picked the berries from the natural bogs and used them to flavor their food and dye their blankets and clothing. Because raw cranberries have an astringent effect that contracts tissue and stops bleeding, the Indians also used the fruit to make poultices for wounds. And they made a tea from the leaves to use as a diuretic.

Legend has it that when the Pilgrims arrived in New England in 1620, the Wampanoag Indians who greeted them gave the settlers ibimi ("bitter berries") as goodwill gifts. Apparently the word ibimi didn't roll easily off the Plymouth colonists' tongues, so they coined their own names for the fruit. Noticing that the vine's flowers vaguely resembled cranes' heads, they eventually dubbed their new food "crane-berries."

Historians disagree over whether cranberries were actually served at the first Thanksgiving feast in 1621, but one fact is certain: They became a big hit with the English settlers, who found the fruit not only edible and useful as a dye but also "excellent against the Scurvy."

Word of the miraculous berries soon spread back to England, and the colonists recognized a good thing when they saw it. With a

bottle of cranberries fetching several shillings in London, the colonists began picking as much of the wild fruit during autumn as they could get their hands on. They even tried to pacify their king with the berries: In 1677 the colonists sent "tenn barrells of cranburys," along with Indian corn and 3,000 codfish, as a peace offering to Charles II, who was angry with the New World residents for minting their own coins.

In 1816 American Revolution veteran Henry Hall made a discovery that would change the nature of cranberry-harvesting forever. At his seaside farm on Cape Cod, Hall decided to cut down some trees growing on a hill overlooking the beach. Wild cranberries grew in a marsh behind the hill. With the trees gone, the wind whipped sand onto the vines. Hall expected the plants to die, but the opposite occurred: The cranberries flourished under the sand while competing weeds disappeared. Hall began transplanting his vines, fencing them in and covering them with sand.

Thus cranberry cultivation was born.

Stephen Lee, a native of Ireland, bought 2,000 acres of New Jersey pinelands in 1868. The area, he discovered, was perfect for growing the cranberries. Woodlands and freshwater marshes pockmarked the landscape, while he could easily flatten the sandy soil to cultivate the fruit.

During the 1870s Lee and his son, James, carved out a series of cranberry bogs, most of which are still in use. Cranberry farming in those days was not necessarily profitable, and for the next two generations the Lee family struggled. As the Great Depression took hold, the family shut down the farm operation and moved to a nearby town.

Meanwhile, cranberry growers elsewhere had developed new methods to improve their harvest. Around the turn of the century, Wisconsin farmers found they could harvest twice as many berries by flooding their bogs then scooping up the floating fruit. (Flooding also gets rid of insects and protects against frost.) A few years later Boston attorney and cranberry grower Marcus Urann had another idea: a canned sauce made from cranberries that, according to the label, was "like homemade." In 1930 he merged his company with two other firms to form the Ocean Spray cooperative, owned today by the very farmers who grow the berries.

One of those farmers, U.S. Navy veteran Stephen V. Lee, Jr. (great-grandson of the Stephen Lee mentioned earlier), survived both the Normandy invasion and fiery battles in the South Pacific during World War II before returning to New Jersey to pick up the pieces of the family farm.

Lee borrowed \$4,000 from Ocean Spray and began the arduous task of reclaiming the land. Starting with some of the original vines his ancestor had planted, he restored the bogs and constructed new ones. "It takes about seven years to develop a productive bog," he says.

Eventually Lee's cranberry bogs began to pay off, while the industry itself was expanding its product lines to include juices that were, according to the ads, "a food drink that aids digestion."

Then came "Black Monday."

Seventeen days before Thanksgiving 1959 federal authorities announced that some Oregon and Washington cranberries were contaminated with a herbicide that was known to cause cancer in laboratory rats. The Secretary of Health, Education and Welfare suggested that Americans "pass up cranberries this year." Growers protested, claiming a person would have to eat 15,000 pounds of contaminated cranberries every day for years to get cancer. Vice President Richard Nixon solemnly ate four helpings of cranberry sauce on television to demonstrate

that the fruit was safe. But the damage was done. "We took a terrible loss that year," says Lee. "Nobody was buying the stuff. It took a few years for us to recover."

Today, cranberries aren't seen as posing a health threat; in fact, they're widely considered beneficial. In 1994 doctors at Harvard Medical School released a study that confirms an old folk remedy: Cranberry juice really does help prevent urinary-tract infections. The researchers reported that the women who drank ten ounces of cranberry beverage daily for six months were 58 percent less likely to have such infections than the women who drank a placebo beverage. Scientists had thought the berries' acidic nature knocked out infection, but the new study suggests that cranberries contain a compound that prevents infectious bacteria from adhering to the bladder walls. The doctors studied only older women because they are most prone to the infections. (Women in general have a much higher rate of urinary-tract problems than men.)

Motivated in part by such discoveries, Americans now consume more than 340 million pounds of cranberries a year. In the past decade Ocean Spray's sales have nearly tripled to more than \$1 billion annually.

"When I was young, there weren't a lot of choices with cranberries. You ate sauce—and more sauce," says Stephen V. Lee III, who returned home in 1973 to help run the family farm after serving as a flight instructor at the U.S. Air Force Academy in Colorado. Today Stephen III runs the business end of the operation—a task his mother, Marjorie, performed until her death in the early 1970s. "My parent's policy was that their children should go off and try other occupations before deciding on careers as cranberry farmers," he says.

His younger brother, Abbott, decided on his career several years ago after studying agriculture at a nearby college. Today he maintains the family's 125 acres of cranberry bogs, using innovative harvesting equipment he himself invented to reduce manpower needs.

The brothers' father, Stephen V., Jr., bounds across a dirt mound bordering one of the bogs and scoops up a handful of berries from a flooded area. "There's a rule of thumb with a family farm like this," he says. "The first generation acquires the land, the second generation improves it, and the third gets to spend the money."

It didn't quite work that way for the Lee patriarch, however. "My sons are the fifth generation," he chuckles. "And they're the ones who are really getting to enjoy the fruits of all this labor."

#### EMPLOYER TRIP REDUCTION PROGRAMS

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 325. As an original cosponsor of this legislation, I am pleased that this noncontroversial measure can be brought before the House today under the Corrections Day Calendar.

I grew up in a small oil refinery town just outside of Philadelphia. I can remember vividly the smell of burning oil in the air on a daily basis. Because of this experience, I have always supported strong clean air regulations. I voted for the Clean Air Act Amendments of 1990 [CAAA] and believe the goal of reducing air pollution should not be abandoned.

Over time, however, certain provisions of the Clean Air Act have proven to be unworkable. The implementation of employee trip reduction [ETR] requirements of the CAAA are of great concern to many businesses and employees in the Seventh Congressional District.

Due to a single air quality reading in Chester, PA, the Environmental Protection Agency [EPA] designated the Philadelphia Consolidated Metropolitan Statistical Area [AMSA] as a severe nonattainment area under the CAAA. ETR is one of several strict mandates required by the CAAA for regions of the Nation which are classified as severe.

Significant scientific concerns have been raised about EPA's air quality monitoring and the single data point from Chester which places the entire Philadelphia CMSA into the severe category. Based on these and other concerns, I wrote to then-Governor Casey asking him to press the EPA to reclassify Philadelphia from severe to serious. Regions classified as serious are required to clean up the air sooner than those classified as severe, but are not required to establish ETR programs.

The ETR Program—while never fully implemented—would likely have proven costly to businesses with little real significant reduction in air pollutants. Last Spring, Governor Ridge announced that he would not implement the ETR requirements. The EPA concurred and publicly stated it would not force States to implement the program.

The legislation before us today will allow States like Pennsylvania to willingly opt out of the ETR Program without the threat of third party lawsuits based on noncompliance. This legislation is important for areas like Philadelphia where attainment goals are needed for improved air quality but where these goals can be reached without a costly unfunded mandate on businesses in and around the region.

I strongly support H.R. 325 and commend Congressman MANZULLO for his efforts to bring this bill to the floor today.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2076, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 6, 1995

Mr. LANTOS. Mr. Speaker, the conference report on the bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies has been discussed at some length by a number of my colleagues on this side of the aisle. I share their serious concerns with the deficiencies of this legislation that have been so eloquently expressed by my friend and colleague from Wisconsin, Mr. OBEY, and by my friend and colleague from West Virginia, Mr. MOLLOHAN.

I want to focus my remarks on the serious defects of this bill with regard to the international obligations of the United States. The conference report that we are considering reduces by one-half our Nation's contributions to